



Chairman: David Vaught

Members: Ed Bedore, Ricardo Morales, Larry Ivory, Bill Black

May 14, 2013

Bill Grunloh
Chief Procurement Officer
Illinois Department of Transportation
Executive Ethics Commission
2300 S. Dirksen Pkwy
Room 200
Springfield, Illinois 62764

Re: 50-35 Potential Conflict of Interest, from the April 26, 2013 Letting, Item 79, 86 and 163

Dear Mr. Bill Grunloh,

In accordance with the requirements of Section 50-35 of the Illinois Procurement Code, I have reviewed your request received May 13, 2013 and understand the facts to be as follows:

- 1) The Illinois Department of Transportation has issued a request for a review and comment on potential conflicts of interest disclosed by Halverson Construction Co., Inc.
- 2) The contract pertains to the contract for construction and related services in Randolph, St. Clair and Massac Counties.
- 3) Halverson Construction Co., Inc. was selected using Competitive Sealed Bidding process.
- 4) The disclosure form submitted on behalf of Halverson Construction Co., Inc. indicates the following:
 - a. Jill Halverson Meseke, Vern Halverson, and Mary Halverson of Halverson Construction Co., Inc. all individuals with an ownership interest and distributive income of more than 60% of the Governor's salary, have disclosed Ms. Halverson Meseke works at the Illinois Department of Commerce and Economic Opportunity (DCEO). She does not earn an income in excess of 60% of the Governor's salary and did not influence the competitive sealed bidding process. Jill is the daughter of Vern and Mary.
- 5) The Illinois Department of Transportation confirmed that none of the disclosed individuals were in a position to influence the award of this contract. The Illinois Department of Transportation and CPO Bill Grunloh indicate that it would be in the best interest of the State to approve this conflict of interest due to the using agency's needs and the value of the contract.

Based on the foregoing, you are requesting my review and comment pursuant to the Illinois Procurement Code.

Review and Comment

After careful review of the documentation provided, I do not view the relationships disclosed above as creating a conflict of interest sufficient to preclude the Illinois Department of Transportation from entering into a contract with Halverson Construction Co., Inc. for the services outlined in your letter received May 13, 2013.

Sincerely,

Aaron Carter
Executive Director

Cc: EEC General Counsel



CHIEF PROCUREMENT OFFICE

Bill Grunloh, Department of Transportation - Highway Construction

May 9, 2013

Procurement Policy Board
222 South College Street, Suite 231
Springfield, IL 62704

RE: Conflict of Interest Disclosure Halverson Construction Co., Inc., lowest responsible and responsive bidder for Letting Items 79, 86, 163 from the April 26, 2013 letting

Mr. Carter,

Attached is the potential conflict of interest form for Halverson Construction Co., Inc., the lowest responsible bidder who was also responsive for three construction contracts advertised on the April 26, 2013 letting by the Department of Transportation. Letting Item 79 consists of construction related services in Randolph County, and includes: repairs to the bridge (S.N. 079-0019) carrying Roots Road over the Kaskaskia River and bridge deck replacement at the structure (S.N. 079-0020) carrying Roots Road over Union Pacific Railroad located 1 mile east of Roots. Item 86 consists of construction related services in St. Clair County, and includes: resurfacing approximately 3.28 miles of Illinois Route 13 from just south of the Kaskaskia River to just south of Old Illinois Route 13. Letting Item 163 consists of construction related services in Massac County, and includes: replacing HMA overlay and other misc. repairs located on the structure (S.N. 064-0035) carrying Interstate 24 over the Ohio River.

Halverson Construction Co., Inc., was selected via competitively sealed bidding process. A description of the contract and low bid amount is enclosed with this letter and conflict of interest checklist. This contract is in the Department's interests of maintaining safe structures to ensure the safety of the motoring public. Also enclosed with this is a prior approval from the Procurement Policy Board.

Jill Halverson Meseke, Vern Halverson, and Mary Halverson of Halverson Construction Co., Inc., all individuals with an ownership interest and distributive income of more than 60% of the Governor's salary, have disclosed Ms. Halverson Meseke works at the Illinois Department of Commerce and Economic Opportunity (DCEO). She does not earn an income in excess of 60% of the Governor's salary and did not influence the competitively sealed bidding process.

This conflict has been reviewed by our office, and it has been determined that this is not an actual conflict and will not interfere in the execution of this contract.

If you have any questions concerning this request, please contact Jim Layden of the Bureau of Design and Environment, Plans and Contracts Unit, at 217-782-7806

Sincerely,

Gretchen Tucka,
State Purchasing Officer

Enclosures

STATE OF ILLINOIS
PROCUREMENT POLICY BOARD
CONFLICT OF INTEREST REVIEW
CHECKLIST

Please ensure that the following documents are included with your request:

- ☒ Cover letter with overview of the potential Conflict of Interest
- ☒ Conflict of Interest Review Request Form
- ☒ Copy of Proposed Contract*
- ☒ Any Prequalification Information Submitted by the Vendor
- ☒ Prior Procurement Policy Board/Office of the Governor Conflict of Interest Review Letter for this Vendor
- ☒ Copy of the Disclosure/Certification Documents Submitted by the Vendor

*may be the proposed contract sent in with a RFP response, a copy of the solicitation response, etc.

Please scan original documents** with signatures and email to:

aaron.carter@illinois.gov
cc: deanna.rossetto@illinois.gov

If you are unable to scan and email the original signed documents, please send to:

Procurement Policy Board
222 South College Street, Suite 231
Springfield, IL 62704

**If you scan and email the original documents, please do not send the original documents to our office. Please keep the documents in your procurement file.

CONFLICT OF INTEREST REVIEW REQUEST FORM

The following information must be filled in as accurately and completely as possible. This form will be sent to the Procurement Policy Board providing essential information needed to review and determine if an actual conflict of interest exists, which is sufficient to preclude the State from entering into the attached proposed contract pursuant to section 50-35(d) of the Illinois Procurement Code.

CONTRACTING AGENCY INFORMATION

Using Agency: Department of Transportation
Address: 2300 S. Dirksen Parkway City/State: Springfield, IL
Contact Person: Jim Layden Title: Acting Chief Contracts Official
Phone: 217.782.7806 Fax: 217.785.1141
Email: Jim.Layden@illinois.gov

VENDOR INFORMATION FOR VENDOR WITH POTENTIAL CONFLICT

This Vendor is: ☒ Prime Vendor ☐ Sub-contractor
Name of Vendor: Halverson Construction Co., Inc.
Address: 620 North 19th Street City/State: Springfield, IL
Contact Person: Steve Halverson Title: President
Phone: 217.753.0027 Fax: 217.753.1904
Email: stevenh@halversonconstruction.com
Procurement Bulletin Reference Number: Items 79, 86, 163 Date Posted to Bulletin: 3/27/2013

CONTRACT INFORMATION

Describe the need for this procurement or proposed contract: Letting Item 79 consists of construction related services in Randolph County, and includes: repairs to the bridge (S.N. 079-0019) carrying Roots Road over the Kaskaskia River and bridge deck replacement at the structure (S.N. 079-0020) carrying Roots Road over Union Pacific Railroad located 1 mile east of Roots. Item 86 consists of construction related services in St. Clair County, and includes: resurfacing approximately 3.28 miles of Illinois Route 13 from just south of the Kaskaskia River to just south of Old Illinois Route 13. Letting Item 163 consists of construction related services in Massac County, and includes: replacing HMA overlay and other misc. repairs located on the structure (S.N. 064-0035) carrying

Interstate 24 over the Ohio River.

Total Contract Amount (Estimate if actual is unknown): \$ Item 79: 2,115,057.47; Item 86: 1,196,010.09; Item 163: 2,154,994.11
Contract Begin Date: Upon Authorization to Proceed is received Contract End Date: Item 79: 75 Working Days; Item 86: 85 Working Days; Item 163: 55 Working Days
Describe any Renewal Options (i.e. One 2-year Option): No

PROCUREMENT PROCESS

What was the method of procurement used to select this vendor? Competitive Sealed Bidding

If this vendor was selected using a competitive process, how many vendors responded to the bid? Item 79: 8 total; Item 86: 6 total

bidders; Item 163: 3 total bidders.

Were any vendors disqualified? No

If yes, please explain why.

If a multiple award, how many vendors were awarded a contract? Not a multiple award

Were there any instances of low vendor rejections? No

If yes, please explain why.

EXPLANATION OF POTENTIAL CONFLICTS OF INTEREST

For each individual identified as causing a potential conflict of interest, include the following information: name, relationship (if applicable), Agency of State employment, start date, job title and responsibilities. Indicate if any of the named individuals earn more than \$106,447.20 and explain the potential conflict of interest.

Jill Halverson Meseke, Vern Halverson, and Mary Halverson of Halverson Construction Co., Inc., all individuals with an ownership interest and distributive income of more than 60% of the Governor's salary, have disclosed Ms. Halverson Meseke works at the Illinois Department of Commerce and Economic Opportunity (DCEO). She does not earn an income in excess of 60% of the Governor's salary and did not influence the competitively sealed bidding process. Jill is the daughter of Vern and Mary.

If a prime vendor, did they disclose their use of lobbyists? ☐ Yes ☒ No

If yes, did the lobbyists lobby on behalf of the vendor to secure this contract? ☐ Yes ☐ No

PROVIDE A WRITTEN STATEMENT SIGNED BY THE AGENCY REPRESENTATIVE FOR YOUR AGENCY STATING:

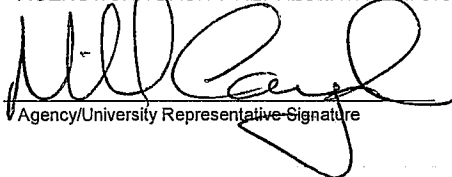
1. Is the conflict an actual conflict and whether or not any of the above named individual(s) were in a position to influence the State's award of this contract.

This is not an actual conflict. Ms. Halverson Meseke has no ability to interfere in the competitively sealed bidding process. The Competitively Sealed Bidding Process is designed to remove any potential for interference. Ms. Halverson Meseke will also not interfere with the execution of this Letting Item by Halverson Construction, Inc.

2. Why is it in the best interest of the State to proceed with this contract.

This Letting Item is for structure repair and replacement, which allow s for safe passage of the motoring public.

AGENCY/UNIVERSITY REPRESENTATIVE SIGNATURE



Agency/University Representative Signature

Michael Layden

Agency/University Representative Printed Name

5/9/2013

Date

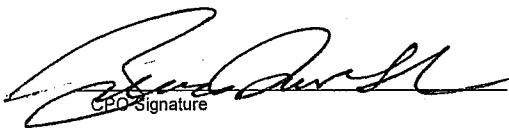
217.782.7806

Agency/University Representative Telephone

jim.layden@illinois.gov

Agency/University Representative Email Address

CPO SIGNATURE REQUIRED



CPO Signature

Bill Grunloh

CPO Printed Name

5/9/2013

Date

217.558.5434

CPO Telephone Number

bill.grunloh@illinois.gov

CPO Email Address

